

REMARKS

Applicant requests reconsideration and withdrawal of the rejections set forth in the Office Action mailed June 13, 2008 in view of the following remarks.

Claims 1-15 remain pending in this application, with claim 1 being the sole independent claim. Claim 1 has been amended herein. Support for the amendment can be found throughout the originally-filed disclosure, including, for example, in Figure 4, and page 7, line 8 through page 8, line 6 of the Specification. Thus, Applicant submits the amendments include no new matter.

Claims 1, 2, 4, 6-8, 14, and 15 are rejected in the Office Action under 35 U.S.C. § 102(b) as being anticipated by Fujita (U.S. Patent Application Pub. No. 2002/0172109). Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable in view of Fujita. Claims 3 and 9-13 are under 35 U.S.C. § 103(a) as being unpatentable in view of Fujita and Japanese Patent Document No. 08-249695 (hereinafter “JP ‘695”).

Applicant respectfully traverses these rejections, and submits the claims are patentably distinguishable from the cited references for at least the following reasons.

Amended independent claim 1 recites an optical pickup device comprising, inter alia, a support body constituted of wire members, a support member, and a yoke, with a lens holding body supported by an end of the wire members, and the other end of the wire members supported by the support member.

The Office Action cites Fujita as disclosing an optical pickup device which anticipates the optical pickup device recited in claim 1. In formulating the rejection, the Office Action asserts that the device of Fujita includes a support body in the form of side wall portions 102c, which supports a lens holding body in the form of lens holder 102a, to

allow the lens holding body to move in at least one of a focusing direction and a tracking direction of the objective lens 103.

Assuming, arguendo, that the side wall portions 102c of Fujita can be equated to the claimed support body, Applicant submits that Fujita does not disclose or suggest a support body as recited in amended independent claim 1. For example, the side wall portions 102c of Fujita do not include anything that can be equated to the combination of a wire members, a support member, and a yoke, as recited in amended independent claim 1. Nor can any of the other elements of Fujita be interpreted to anticipate the support body recited in amended independent claim 1, which, among other things, is rotatable with respect to an optical base around a rotation axis perpendicular to focusing and tracking directions.

Applicant further submits that JP '695 does not cure the deficiencies of Fujita with respect to claim 1. JP '695 is cited in the Office Action as disclosing certain features of the dependent claims. Applicant submits, however, that JP '695 does not disclose or suggest a lens holding body that is moveable in at least one of a focusing direction and a tracking direction with respect to the support body.

For at least the foregoing reasons, Applicant submits that references cited in the Office Action, whether taken individually or collectively, fail to disclose or suggest the invention recited in amended independent claim 1.

In view of the foregoing remarks, it is respectfully submitted that the pending claims are allowable over the references of record, and that the application is in condition for allowance. Favorable reconsideration and early passage to issue of the application are earnestly solicited.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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